

UNITED STATES DISTRICT COURT

for the  
District of New Mexico

FILED  
AT LAS CRUCES

SEP 23 2015

MATTHEW J. DYKMAN  
CLERK

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

305 E. Onyx Street, Roswell, New Mexico

Case No. 15-MR-593

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

305 E. Onyx Street, Roswell, New Mexico

located in the \_\_\_\_\_ District of \_\_\_\_\_ New Mexico \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, which is attached and hereby incorporated herein by this reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

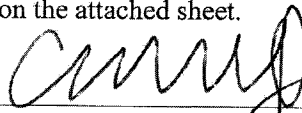
The search is related to a violation of:

Code Section	Offense Description
Title 18, U.S.C. 922(d)	Knowing sale or disposal of firearm or ammunition to a prohibited person

The application is based on these facts:

See attached affidavit, which is attached and hereby incorporated herein by this reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

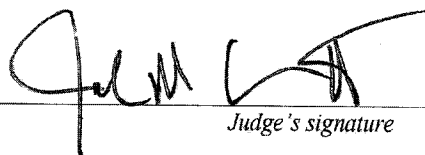
Colin McGuire, FBI SA

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/23/2015

City and state: Roswell, New Mexico



Judge's signature

Honorable Joel Carson, U.S. Magistrate Judge

Printed name and title

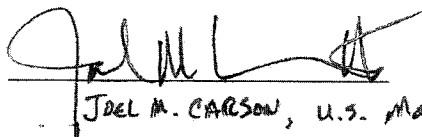
A reliable source of information revealed on July 19, 2015, that Joel Apodaca purchased approximately \$200 worth of various types of ammunition for Joseph Mendiola so that he and Mendiola and others could go to a range and shoot weapons. Ammunition types included .308 caliber, .45 caliber, 9 mm, 7.62 x 51 mm, 7.62 x 39 mm, and others. Apodaca went to his residence in Roswell, New Mexico to clean and fix some of Mendiola's weapons, including an AR-15, prior to going to the range.

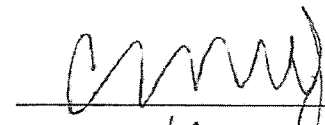
On July 21, 2015, agents observed Joseph Mendiola park in between the residences located at 305 East Onyx and 307 East Onyx, Roswell, New Mexico 88203 at approximately 12:38 p.m. A reliable source of information revealed Mendiola then called Jeremy Hatch to say he was looking for a clip to Hatch's weapon and couldn't find it, so instead Mendiola would bring Hatch one of Mendiola's AK assault rifles. A short time later, agents observed Mendiola's vehicle arrive in the vicinity of 314 South Birch Avenue, Roswell, New Mexico. Jeremy Hatch exited the residence, and agents observed Hatch and Mendiola take something out of the trunk of Mendiola's vehicle. The object was long and wrapped in a blanket and appeared to be the same size as an assault rifle.

Based on their training and experience, agents believe Joel Apodaca stores weapons at his and his family's residences at 305 East Onyx and 307 East Onyx in Roswell, New Mexico 88203, weapons which belong to Joseph Mendiola, weapons which Apodaca fixed and maintained, and furthermore that Apodaca purchased ammunition for the weapons at Mendiola's direction, thereby aiding and abetting a felon to be in possession of weapons and ammunition, since Joseph Mendiola is a known convicted felon. Agents also believe the firearms and ammunition traveled in interstate or foreign commerce prior to the time Mendiola possessed them.

New Mexico Driver's License records indicate that Joel Apodaca's most recent reported address is 305 E. Onyx St, Roswell, New Mexico, as of a driver's license issued under the same name on 10/7/2014. When applying for a New Mexico driver's license, applicants must provide two proof of residency documents, which include a street address, in order to obtain a New Mexico driver's license.

*Subscribed & Sworn to before me*

  
JOEL M. CARLSON, U.S. Magistrate Judge

  
COLIN MCGUIRE  
FBI SA

**ATTACHMENT B**

**List**

1. Any and all firearms to include rifles, shotguns, and handguns.
2. Any and all ammunition.
3. Any receipts or paperwork which depicts the sale, purchase or possession of firearms.
4. Any paperwork or document that depict residency or ownership of the residence by Joel Apodaca.
5. Photographs to be taken of the residence, vehicles, and items seized for evidentiary purposes.

A handwritten signature in black ink, appearing to be "C. M. J.", located in the bottom right corner of the page.